



*C2D Centre for Research on Direct Democracy
ZDA Centre for Democracy Studies Aarau
at the University of Zurich*

C2D Working Paper Series

Direct Democracy in Japan

**Mitsuhiko OKAMOTO, Nils GANZ
and Uwe SERDÜLT**

Okamoto, Mitsuhiro; Ganz, Nils and Serdült, Uwe
Direct Democracy in Japan

C2D Working Paper Series
47/2014

Series editors: Yanina Welp and Uwe Serdült

C2D – Centre for Research on Direct Democracy

Abstract

In general, mechanisms of direct democracy in Japan are not well established. At the national level, the National Referendum Law for the Change of the Constitution only recently came into effect on 18 May 2010, three years after its enactment. Before then there were no procedures laid out for a referendum on a constitutional amendment. At the local level, there are more options for direct citizen participation, however the result of a vote is not legally binding. This working paper aims to describe the different mechanisms of direct democracy in Japan, at the national as well as local level, to present their legal basis and frequency of use and to discuss developments since the late 1990s primarily at the local level.

Okamoto, Mitsuhiro, Ganz, Nils and Serdült, Uwe
Direct Democracy in Japan

C2D Working Paper Series
47/2014

C2D – Centre for Research on Direct Democracy
ISSN 1662-8152

<http://www.zora.uzh.ch>

Mitsuhiro OKAMOTO

Mitsuhiro Okamoto is Professor in the Political Science Department at Tokai University, Japan.

Nils GANZ

Nils Ganz holds a Master Degree in Japanese Studies from the University of Zurich.

Uwe SERDÜLT

Uwe Serdült is Vice-director of the Centre for Research on Direct Democracy (c2d).

Table of Contents

1. Introduction.....	5
2. Terminology and Origins.....	6
2.1 Terminology.....	6
2.2 Origins.....	7
3. National Level.....	9
3.1 Constitutional referendums (Mandatory referendum).....	9
3.2 Review of Supreme Court Judges (Mandatory Referendum).....	10
3.3 Optional Referendum.....	10
3.4 Citizens' Initiative.....	10
4. Subnational Level.....	10
4.1 Referendum for enactment of special law applicable to one local public entity.....	11
4.2 Recall and dissolution votes.....	12
4.3 Petitions.....	12
4.4 Conference of municipalities in case of a merger ("legal merger conference").....	13
5. Issues of local referendums.....	14
6. Conclusion.....	15
Bibliography.....	18
Annex 1: Municipalities with a permanent referendum ordinance.....	21
Annex 2: The 19 votes according to the Local Autonomy Special Law.....	23
Annex 3: 19 local referendums (1996-2010), excluding merger referendums.....	24

1. Introduction

Japan is a representative democracy with a parliamentary cabinet system and a limited number of mechanisms for direct citizen participation. Political participation in Japan basically consists of electing the members of the two chambers of the national parliament, the upper and the lower house.¹ Local level politics provides more options for direct citizen participation. All Japanese citizens over 20 years of age are allowed to participate in elections.

According to the Japanese Constitution (JC) a nationwide referendum must be held as the last phase of a process of constitutional revision (Article 96) or in order to confirm the mandate of Supreme Court judges (Article 79). Japan does not provide for any bottom-up mechanisms of direct democracy at a national level (Serdült/Welp 2012). In regard to local level options, chapter 8 of the JC (Articles 92-95) lists the possibilities for local self-governance.² The Local Autonomy Law (LAL; *chiho jichi-hō*)³ describes them in more detail. Articles 74 to 88 are the cornerstones of local direct democracy in Japan.⁴ In a nutshell, citizens' initiated referendums and local level initiatives are possible for constituencies that provide for them in legislation.

As in many other countries, especially in Middle and Eastern Europe, the beginning of direct democratic participation in Japan started in the 1990s. At this time, some western European countries and US states were already looking back on a 100 year old tradition of direct democracy. Worldwide, there was a great increase in the use of referendums in the latter half of the 20th century (see: Altman 2011).

Recently, political participation in Japan has undergone some changes. Since the mid-1990s, local citizens' movements have become increasingly active and are making use of direct democracy mechanisms. With the post-war constitution and principles of local autonomy, a new local government system was introduced, which, over time, has been given increased legal leeway.

¹ Article 43(1), Japanese Constitution.

² Local parliaments were introduced after the Meiji Restoration of 1868. The Meiji Government abolished the fiefs (*Han*) of feudal lords (*daimyos*) and established prefectures (*Fu* or *Ken*) in 1871. In the so-called *sanshinpō-law* (lit. 'three new laws') of 1878, the still valid division of Japan into prefectures (*ken*) and cities (*shi*) was introduced: the Municipalities Formation Law (*Gunku-choson-henseiho*), the Prefectural Assemblies Act (*Fukenkai-kisoku*) and the Local Tax Ordinance (*Chihozei-kisoku*) were enacted. Under the Prefectural Assemblies Act, a prefectural assembly was established in each prefecture. In 1888 the City Organisation Law (*Shi-sei*) and the Town and Village Organisation Law (*Choson-sei*) were enacted and in 1890 the Prefectural Organisation Law (*Fuken-sei*) and the County Organisation Law (*Gun-sei*) were enacted. Counties are further subdivided into towns (*chō* or *machi*) and villages (*son* or *mura*).

³ The Local Autonomy Law (*Chiho jichi ho*) was passed as Law No. 67 on 17 April 1947.

⁴ The articles establish most of Japan's contemporary local government structures, including prefectures and municipalities. Local Referendum Law (in Japanese): <http://law.e-gov.go.jp/htmldata/S22/S22HO067.html> (accessed 9 December 2014).

However, as citizens' initiatives are not expressly provided for under Japanese law, the development of existing forms of direct participation have yet to find expression in a legal form. Furthermore, there is debate as to whether local referendums can be legally binding (Neumann 2002).⁵

At the local level, the LAL allows for the recall of mayors or members of local parliament. This Act focuses on the local level petitions filed between 1979 and 2009 and suggests that although referendums might be heavily restricted, they nonetheless play a significant role in Japanese politics.

The paper will be organised into four sections: in the first section, we discuss the historical and conceptual background of citizen participation in Japan; in the second we present the legal status of referendums at the national and local level; and in the third we look at the use of referendums and their direct influence at the local level. In the final section we discuss some current issues of local referendums in Japan.

2. Terminology and Origins

2.1 Terminology

During Japan's modernisation in the Meiji era, from the end of the 19th to the beginning of the 20th century, there was a great need for the translation of Western terms that simply did not exist in the Japanese language. Words such as *democracy*, *initiative* and *referendum* were adapted phonetically and transcribed with Sino-Japanese characters. For example, the Japanese word for democracy 'Minsyu-syugi' or 'Minsyusei' is composed of the two parts 'Min' for 'people' and 'Syu' for 'sovereign'. Acceptance of these Western terms can be seen as one of the key elements for the introduction of democratic ideas in Japan in the two decades after the Russo-Japanese war (1904-05). There were numerous debates about the concept of democracy, its meaning, interpretation and attempts at adaptation to Japanese standards. This is evident by the fact that at the beginning of the 20th century different translations for the Western term "democracy" existed (Meyer 2002).⁶

The term *direct democracy* first appeared in Japan at the beginning of the 20th century. Abe Isoo, one of the founders of the Japanese Social Democratic party and a professor of Waseda University in Tokyo, introduced it in 1904 in his work *chijō no risōkoku - Suisu* ("Ideal State on the Earth - Switzerland") using the expression *chokusetsu rippō sei* (lit. 'direct legislation') and explained the Swiss institutions of referendum and initiative. In 1902 Kōtoku Shūsui, who was a journalist and socialist in the Meiji era, illustrated in his article *Chokusetsu sansei ron* (an essay on direct political participation) the importance of popular votes, referendums and initiatives. Aside from Shinkichi Uesugis' (who was a professor at the University of Tokyo) paper *Referendumsmu ni tsuite* (About the referendum), we should also mention the monograph by Matasuke Kawamura (Professor at Kyusyu University). Kawamura's 1934 published piece *Chokusetsu minshu seiji* (Direct Democratic Politics) has to be seen as one of the first Japanese works on direct democracy (Okamoto 2004). However, throughout the

⁵ According to Takehana (1997): "In principle, about such kind of regulations a lawfully referendum could be carried out, but not on issues that concern the policy measures (*seisaku*) of the local or even national government".

⁶ Yoshino Sakuzō, a well-known advocate of democratic ideas in this period distinguishes between two basic meanings of the Western concept of democracy. The terms "*minshushugi*" government by the people and "*minponshugi*" government for the people (Meyer 2002).

rising militarism of the Meiji and under the pre-war laws, the concept of direct democracy was only known amongst a few intellectuals.

At this time, the terms referendum and initiative were translated in many different ways. For 'referendum' the terms *chokusetsu rippōken*, *refarendamu* (written in Katakana), or Isoo Abe's *chokusetsu rippō sei* (lit. direct legislation) were often used. Different terms with different ways of writing (in different Chinese characters) were used, or newly invented. For example, Abe created his own translation *kengiken* (the right of presenting a petition). Based on these linguistic and historical circumstances, Japan has developed a unique terminology to name the different referendums at the different state levels. Most Japanese scholars refer today to a national vote as *kokumin tōhyō* (national referendum) and to a local vote as *jūmin tōhyō* (resident referendum) instead of *kōmin tōhyō* (citizen referendum). *Jūmin* means residents and *tōhyō* means voting. The reasons lie in pre-war history. Under the Meiji Constitution the term *kōmin* (citizen) only referred to a male possessing a certain amount of property. This is one of the reasons why most Japanese scholars still decline to use the term 'citizen'. For some politicians only well-educated persons with property are 'citizens'. Therefore, in their view there are not many 'citizens' in that narrow sense in Japan. Until today, the most frequently used term for democracy, besides the syllabary *demokurashi*, is the expression *minshushugi* (Hwang 2009). Because referendums have been held mostly at the prefectural or local level, *shimin tōhyō* (vote of the city-citizens) and *kenmin tōhyō* (voting of the prefecture residents) are also common (see: Meyer 2005).

2.2 Origins

Even if democratic elements in Japan may have been present before the Meiji era (1868-1912), as Inoguchi (2003) shows, before the introduction of the Western parliamentary system there was no specific concept of democracy (Kuroda 2005). The Constitution of the Greater Japanese Empire from 11 February 1889 did not contain any articles regarding local autonomy or direct democracy since such ideas conflicted with the Emperor's divinity. Before 1926, governors and mayors were appointed by the Ministry of the Interior and local governments merely functioned as branch offices of the central government (Kaneko 2004). Between 1926 and 1943, mayors were elected by the city parliament but after 1943 the mayor was once again appointed by the Ministry of the Interior. Japan laid out the basis for a democratic state with a new constitution in April 1947. The new constitution, executed by an American committee based on a Japanese draft, met the established requirements for a constitutional amendment and was formally adopted as an amendment to the existing Meiji Constitution. However, its content was radically different to the previous version and was closely linked to Japan's surrender at the end of World War II.

In this new constitution, local self-government (*chihō jichitai*) and local autonomy were established alongside a democratic parliamentary system and universal suffrage. Under the new system, governors and mayors were elected directly by the people and two types of mandatory referendum were introduced.

Article 95 of the JC states that a special law, targeting a specific local entity, requires the consent of a majority of voters of that particular entity.⁷ It was introduced by US lawmakers as a counterpart to the strongly centralised Japanese government.

Article 96 of the JC established a compulsory nationwide referendum for constitutional amendments. Since 1949, the LAL has already been changed more than fifty times. In contrast, the JC has remained unchanged since it came into force in 1947. This is due to the procedure for constitutional amendment. A bill which is passed by the House of Representatives and upon which the House of Councillors makes a decision different from that of the House of Representatives, becomes a law when passed a second time by the House of Representatives by a majority of two-thirds or more of the members present (see JC: Art. 55, 57(1), 58(2), 59(2) and 96(1)). Article 96(1) states: Amendments to this Constitution shall be initiated by the Diet, through a concurring vote of two-thirds or more of all the members of each House and shall thereupon be submitted to the people for ratification.

It was around the 1970s, with the appearance of city planning movements (*machizukuri*), and environmental movements that the origins of Japanese participatory democracy can be found (Numata 2006). One of the most influential forerunners of direct democratic processes in Japan was the movement against environmental pollution of the late 1960s and early 1970s that was politically independent and involved all levels of society. The development of a civil rights movement, the end of the Cold War, globalisation, internationalisation and the rise of NGOs (Non-Governmental Organisations), enhanced citizen participation in political decision-making processes. In the 1980s and 1990s the demand for popular referendums in Japan increased dramatically amid growing tension and conflicts between citizens and local authorities. In the 1980s tension between residents and regional governments increased because of construction of nuclear power plants, US military bases and landfills. In 1982 a first referendum in Kubokawa, Kochi Prefecture on the building of a nuclear power plant was authorised. However, the referendum did not actually take place and the project was never realised (Takao 2007). There were further referendum attempts which were dismissed by the local authorities. For example, in Zushi, Kanagawa Prefecture in 1984, there was a petition for a referendum from two-fifths of voters against the construction of US troop accommodation. The petition was rejected by authorities on the ground that "local referendums would disturb efficiency and operations of representative democracy at municipal level, which is the basis of local autonomy" (Yorimoto 1994). In the two decades from 1979 to 1999, local legislatures rejected more than 90% of petitions. From the approximately 100 demands only seven were approved and only six were actually conducted (Imai 2000).

⁷ Article 95 was already part of a first draft of the new JC, prepared by the General Headquarter under General McArthur and presented to the Japanese Government on 13 February 1946, as Article 88: Article LXXXVIII. The Diet shall pass no local or special act applicable to a metropolitan area, city or town where a general act can be made applicable, unless it be made subject to the acceptance of a majority of the electorate of such community (http://www.ndl.go.jp/modern/e/img_l/105/105-019l.html (accessed 2 December 2014)).

3. National Level

3.1 Constitutional referendums (Mandatory referendum)

According to Article 96 of the JC, an amendment of the constitution initiated by the Diet requires a two-thirds or more majority in both Houses. After that the proposal shall be submitted to the people for approval and requires only a majority of yes votes and no quorum. Once ratified, amendments shall immediately be enacted by the Emperor in the name of the people. Up until now, such a vote on constitutional amendments has never been held.

Notwithstanding that the constitution requires a mandatory national popular vote for a constitutional amendment, no explicit statute existed until 14 May 2007 when an act on the amendment procedure of the Constitution of Japan (*Nihonkoku-kenpo no kaiseitetsuduki ni kansuru horitsu*), namely the National Referendum Law for the Amendment of the Constitution (*kenpō kaisei kokumin tōhyō hō*) was passed. A constitutional amendment proposal is only allowed to concern one issue. For a proposal to become a bill, a two-thirds majority in each House is required. After its passage the bill has to be put to a vote within 60 to 180 days. The voting age is 18 years rather than 20 years as with other national elections. In national referendum campaigns all government employees are prohibited from using resources associated with their status in any campaign for or against national referendums. Two weeks prior to voting, television and radio advertising becomes very restricted.

The National Referendum Law for the Amendment of the Constitution came into force three years after its enactment and the panels set up to examine the Constitution did not consider or submit any amendments during that period. Therefore, a national popular referendum on a constitutional amendment was possible from 18 May 2010. The law does not grant people the right to really decide on substantive issues. It only applies to referendums on constitutional amendments and does not provide possibilities for popular votes on other matters (Hwang 2009).

The origin of the desire to implement these procedures after 50 years has to be seen in the desire to amend the JC, in particular Article 9, which permanently renounces war.⁸ When Japan sent forces to Iraq and allowed some of its navy ships to patrol around Somalia, it aroused controversy over the constitutionality of those actions. However, even if an amendment of Article 9 is essential for the development of a more self-contained foreign policy, a constitutional referendum in the near future would be surprising. Among the major political parties only the Liberal Democratic Party is in favour of an amendment; the Social Democrats and Communists are clearly against.

⁸ Article 9 JC (Chapter 2: Renunciation of War):

(1) Aspiring sincerely to an international peace based on justice and order, the Japanese people forever renounce war as a sovereign right of the nation and the threat or use of force as means of settling international disputes.

(2) In order to accomplish the aim of the preceding paragraph, land, sea, and air forces, as well as other war potential, will never be maintained. The right of belligerency of the state will not be recognized.

3.2 Review of Supreme Court Judges (Mandatory Referendum)

According to Article 79 of the Constitution, the appointment of Supreme Court judges shall be reviewed by the people at the general election of the members of the House of Representatives. After a period of 10 years the appointment shall be reviewed again at the first available general election of the members of the House of Representatives. If the majority of voters are in favour of dismissal of a judge, he or she shall be dismissed. The popular vote has the function of reviewing the appointment by Cabinet, dismissing unqualified judges and also strengthening the legitimacy of the appointed judges. Article 79 also states that the Supreme Court shall consist of a Chief Justice and such number of justices as may be determined by law; all such justices except the Chief Justice⁹ shall be appointed by the Cabinet.

There has never been a vote in favour of the dismissal of a Supreme Court justice. With respect to judges in general, only around 10 percent of votes have ever been in favour of dismissal. This is why many scholars have expressed doubts about the real function of such reviews (Hwang 2009). Watson (2006: 106) notes that, "[...] following the practice in some US states, that Supreme Court judges be approved in a referendum coinciding with the first general election after their appointment and every ten years afterwards. No Supreme Court judge has ever been disapproved and some criticise this system for being an almost empty routine [...]".

3.3 Optional Referendum

Under existing laws in Japan, optional referendums are not provided for at the national level.

3.4 Citizens' Initiative

Citizens' initiatives are not provided for at the national level and there is currently no strong public movement in support of their introduction.

4. Subnational Level

Japan has no national referendum legislation for local entities. If a municipality intends to hold a local referendum (either proposed by the mayor, members of the assembly, or initiated by citizens), it first has to pass a local referendum ordinance to provide a legal basis. The basis for such an ordinance is Article 74 of LAL. According to Article 74, a petition for a referendum ordinance, just like all petitions, requires signatures from at least one-fiftieth of the electorate. However, whether such a bill for a local referendum ordinance is passed or not is decided by the local assembly (though the mayor can issue a recommendation) (Hwang 2009). If local legislation rejects a direct demand, a referendum cannot be held. Referendums results are not legally binding. Ordinances state that the mayor must respect (*sonchō suru*) the referendum result. In fact, the Ministry of Home Affairs (so named until 2000, now: Ministry of Internal Affairs and Communications) reportedly instructed mayors not to use the term "comply" after a case where a citizen attempted to include the explicit statement that the mayor must comply with the referendum result. Because the term "respect" is vague, some mayors actually respect and comply with the outcome while others make a gesture of respect but disregard the outcome. Residents of Nago, Okinawa Prefecture sued the city in January 1998 for disregarding the result of a referendum (a plan to build a US military heliport). The suit was dismissed by the Naha District Court in 2000, on the grounds that the result of a referendum is not legally binding. The presiding judge further stated that

⁹ The Chief Justice is designated by Cabinet and formally appointed by the Emperor.

if outcomes were made binding, it would be inconsistent with the principle of indirect democracy.¹⁰ Hwang (2009) calls this the most significant type of popular vote on a substantive issue in recent years. The first local referendum that was actually carried out on the basis of its own ad-hoc, provisional, local referendum act was held in Maki-machi (Niigata Prefecture) and marked a new era in Japan (see chapter on Issues of local referendums). Following this referendum, the number of local votes with a similar basis increased significantly.

Because of the lack of a national statutory basis, in 2000 Takahama (Aichi Prefecture) passed the first permanent referendum ordinance (*jōsetsu-gata jūmin tōhyō jōrei*¹¹) in Japan. In the next few years several local communities followed and by December 2010 over 42 local entities had passed ordinances (see Annex 1). The diverse permanent ordinances differ in regard to eligibility of voters, number of required signatures and the time limit for collecting signatures. Most agree however, that a referendum is void if the turnout is less than 50% of the city's eligible voters. Unfortunately, the lack of a basic national law for local referendums, which regulates local popular votes, undermines the binding force of such referendum decisions (Takeda 2003).

Japan's 47 sub-national political entities (*ken*) are divided into several cities (*shi*), towns (*chō* or *machi*) and villages (*son* or *mura*). According to their legal basis, which can be found in the JC and LAL, the direct political participation forms in these roughly 1700 municipalities can be divided into four categories:

4.1 Referendum for enactment of special law applicable to one local public entity

According to Article 95 of the JC, any special law applicable to one specific local body only may not be enacted without the compliance of the majority of the entity. So the national parliament can only propose a special law applicable to a specific local public body. A draft for such laws must be submitted to a referendum (mandatory referendum) that requires acceptance by the majority of the concerned local entity.

On the basis of Article 95 of the JC there have been 19 votes (see Annex 2) in different autonomous bodies, including cities and towns (*shi*, *chō* or *machi*). All were held between 1949 and 1951. In 1952 the US General Headquarter left Japan and no further votes were ever held based on Article 95. The votes concerned the provision of financial support to local autonomous bodies (for example, Hiroshima Peace Memorial City Construction Law). Because these laws did not limit the power of local autonomous bodies or increase their burdens, many scholars argue that these practices might have contradicted the original idea of Article 95 (Hwang 2009).

¹⁰ The Japan Times, 10 May 2000: <http://search.japantimes.co.jp/cgi-bin/nn20000510a5.html>

¹¹ *Jōrei* stands not only for a subtype of normative laws but may also have the power to delegate the legislative enactment procedure from the legislator to the executive. The right has statutory authorisation (e.g. Article 92ff JC). *Seikyū* has a bigger political influence as a pure petition (*seigan*) and has to be considered by the political decision-making body (clear legitimate classification) (Degenhart 1994).

4.2 Recall and dissolution votes

There are three types of recall that require a binding vote if one-third or more of the electorate¹² support it:

1. Dissolution of the local assembly (Article 76(3) LAL)
2. Recall of an individual member of the assembly (Article 80(3) LAL)
3. Recall of the mayor (Article 81(2) LAL)

A popular vote called "*recall tōhyō*" is held a proposal, with approval requiring a majority of valid votes favouring recall or dismissal. Although some authors claim that recall had not been practiced in Japan before 1996 (Hwang 2009 / Takao 2007), between 1947 and 2012 there were 1518 cases of all three types of recall and dissolution (excluding the 13 demands to recall important public servants such as Shibuya-ku, Tokyo, 1953 and Zushi-chi, Kanagawa, 1986).¹³

Recall – the dismissal of elected officials – is often used as a last resort. Recalled officials are eligible to run for the office from which they have just been dismissed. Also it appears to be more difficult to collect signatures for a recall. For example in Kobe in 1999, signatures of more than one third of all eligible voters were collected for a petition demanding a local referendum ordinance on the construction of a new airport. After the mayor disregarded the demand for a referendum, the electorate began the collection of signatures to recall him, however they did not manage to collect the required number. Conversely, as the example of Maki-machi in 1996 showed, the recall of the mayor can be a tool in the political struggle for the implementation of a referendum. It took a new mayor, who supported a popular vote on the construction of a nuclear power plant, for a referendum to be held (Numata 2006).

There is a fourth type of recall which does not lead to a vote. It allows the recall of important public servants, such as the vice-governor, vice-mayor and school committees. The electorate can propose the recall but only parliament can decide.

4.3 Petitions

4.3.1 Petition to enact, revise or abolish local ordinances

The 1947 Local Autonomy Law introduced the system on direct demands in Japan. After the establishment of the direct demand system, citizens enthusiastically put it into practice by demanding the abolishment of local taxes (on electricity or gas). In 18 local entities (seven prefectures; 11 municipalities) more than the required 2% or more of all the eligible voters' signatures were collected. In response, the central government revised the law in 1948 and exempted the levy or collection of local taxes or the collection of assessments, charges or

¹² Until September 2012, where the electorate is under 400,000, signatures from 1/3 of the electorate is required; an electorate over 400,000 requires signatures from 1/6. From September 2012 (following amendment to LAL), an electorate under 400,000 requires signatures from 1/3; an electorate between 400,000 and 800,000 requires signatures from 1/6; and over 800,000 requires signatures from 1/8.

¹³ Sources: Chihojichi-geppo, No 53, MIC.

<http://www.bunken.nga.gr.jp/kenkyuusitu/kenkyukai/cyukanmatome2/sr03.pdf>

http://www.soumu.go.jp/main_content/000131330.pdf

http://www.soumu.go.jp/main_content/000218678.pdf

http://www.soumu.go.jp/main_content/000218679.pdf

fees from being the subject of direct demands (Kaneko 2004; committee report discussion paper, source http://www.soumu.go.jp/main_content/000087295.pdf).

According to Article 74 of LAL, citizens also have the right to initiate a direct demand (*chokusetsu seikyū*) for the enactment, amendment or abolition of a local ordinance (*jōrei*) with the collection of signatures from one-fiftieth or more of eligible voters. The demand (*seikyū*) is handled by the responsible local parliament who is free to accept or reject it. From 1947 to 2012, 1,851 petitions, consisting of 109 petitions in prefectures and 1,742 petitions in municipalities, were referred to local parliaments (MHA/MIC “*chihojichi geppo*, No.6-9, 12, 23, 29, 37, 38, 41-43, 45-56). In fact, prefectural parliaments have rejected 107 (99.1%) of the 108 petitions and municipality parliaments have rejected 1,520 (93.5%) of the 1,742 petitions.

4.3.2 Petition to audit local government activities

Citizens also have the right to call for an inspection of the administration of local affairs with the collection of signatures from one-fiftieth of eligible voters (Article 75 LAL). These results must be publicly released by the auditors.

4.3.3 Petition by citizens for audit

Article 242 of LAL states that an individual citizen has the right to a hearing if the citizen has reason to believe that public funds have been embezzled or the sale or purchase of property and the formation or fulfilling of a contract is illegal or improperly executed (petition for audit by residents). If the citizen is not satisfied with the result of an audit, the citizen can institute legal proceedings called a “citizen lawsuit” (*jūmin soshō*) or “taxpayer lawsuit” (*nōzeisha soshō*). This is similar to a taxpayer lawsuit in the US.

4.4 Conference of municipalities in case of a merger (“legal merger conference”)

As mentioned above, Japan has adopted a two-tiered local administration system consisting of prefectures and municipalities. The number of municipalities has decreased quite dramatically from 71,314 in 1888 to 1,719 in 2011. The decrease occurred over three consolidation periods. The first was “the Great Meiji Consolidation” 1888-1889, when the number of municipalities was reduced from 71,314 to 15,859. In the “Great Showa Consolidation” from 1953 to 1961, the number of municipalities decreased from 9,868 to 3,472. Finally, during the “Great Heisei Consolidation” from 1999 to the end of March 2010, the number was reduced from 3,229 to 1,756 (Yokomichi 2007).

The reason for this latest consolidation was the attempt by the central government to strengthen the administrative and financial foundation of municipalities. With the Decentralisation Reform of 2000, parts of the central government’s authority were transferred to local governments. At the core of this reform was the law for the abolition of the delegation of national government tasks to the governor, mayor and administrative committees (*kikan i'nin jimu seido no haishi*) and a restriction of central government interference in regional affairs (Klein 2006). These last two laws from 1999 and 2000 with their financial incentives were the initiatives responsible for the area mergers of the last decade.

In addition, national government encouraged mergers by passing a law called the Law Concerning Special Provisions for the Merger of Municipalities¹⁴ which in Article 4(11) made it possible for citizens to initiate a referendum on the establishment of a legal merger conference after collecting signatures of one-sixth of eligible voters. However, while this kind of referendum vote was rarely held, consultative referendums on municipal mergers were held much more often and in many municipalities.

This last consolidation period is the main reason why in the last decade the number of realised local referendums increased dramatically. According to the Ministry of Internal Affairs and Communications, from July 1982 until the end of October 2010, 445 out of the 467 popular votes were about municipal merger conferences. Only 22 votes concerned another subject.¹⁵

5. Issues of local referendums

The issues that have resulted in demands for local referendums vary from building nuclear power plants, waste disposal sites, dam or hospitals, to reducing the number of municipal assembly members and constructing off-track betting shops for horse or boat racing (Jichi Rippō Kenkyūkai 2003). However, those finally approved by the local authority almost all concerned the construction or removal of troublesome facilities (*meiwaku shisetsu*) from communities, such as nuclear power and industrial waste plants, quarry expansions and US military bases. They can be summarised under the umbrella term "NIMBY" (Not In My Back Yard). Even though citizens have NIMBY attitudes about almost every kind of city development close to them, the term commonly refers to citizens' attitude towards developments considered dirty or dangerous such as airports, roads, power plants, prisons and landfills (Igarashi 2005).

The rise of referendums indicates that Japanese residents are increasingly paying more attention to environmental problems and are not satisfied with the way their representatives handle issues. Local referendum attempts often come from *Seikatsusha* networks founded in the early 1980s. These small groups or networks, consisting mainly of women from local communities, are devoted to issues concerning the environment, social welfare and education. They try to defend their communities through the use of local referendums (see: Tsubogo 2009).

The pioneer example of local referendum decisions is the vote on the establishment of a nuclear power plant in Maki-machi held on 4 August 1996. It was the first citizens' initiated vote to be accepted by a municipal council. The result of this referendum was less about the decision on the nuclear power plant and more about the detection of the problems in the Japanese local referendum system. Immediately after the referendum, the Directory General, Agency of Natural Resources and Energy stated that in accordance with national energy

¹⁴ The law concerning special provisions for the merger of municipalities, the so-called Special Merger Law (Shichoson gappei tokurei ho), was enacted as a piece of temporary legislation for a period of 10 years in 1965 and was extended every 10 years until 2005. The Special Merger Law was revised by the Omnibus Law for Decentralisation (*Chihō Bunken Ikkatsu hō*) in 2000, with the biggest changes being financial incentives and the extension by the central government of subsidies for merged municipalities from five to 10 years. The revised law expired in 2005, at which time a new municipal merger law was enacted.

¹⁵ Committee discussion paper, MIC: http://www.soumu.go.jp/main_content/000087297.pdf

policy the project to build a power plant in Maki-machi would continue even though citizens voted by more than 60% (turnout 88%) against the construction. The Ministry of Home Affairs declared in November 1996 that "the result has no binding function for the national government or other regional authorities". Despite these statements, the referendum had a great impact on other local governments, the central government and the Japanese people. By the beginning of 2000, 10 referendums had been conducted on a range of controversial NIMBY issues: the construction of rubbish incinerators, nuclear facilities, US military bases and a proposed US military heliport in Okinawa, and massive public works, especially dams (Takao 1999) (See: Annex 3).

But NIMBY issues represent only a fraction of all the issues raised by petitions. Therefore, it is misleading to state that increasing demand for popular referendums reflects the citizens concern about NIMBY phenomena. The reason why referendums about NIMBY topics are so dominant lies with the local legislatures, who are responsible for selecting the issues and placing them on the ballot. With increasing financial constraints and decreasing subsidies, local legislatures more and more resent such government-imposed projects. For the planning and construction of nuclear power plants the central government (and in the case of industrial waste plants, the prefectures) is in charge. In fact, most of the local legislatures had already expressed their opposition to such projects before the initiation of the referendum movement. Local authorities might be opposed to a national government-imposed project, but they cannot stop the construction of a national or central governmental project on their own. However, if a popular referendum declares "no" to a certain project, the position of the local government is strengthened. In this way, the increasing number of referendums reflects the conflict between local and central governments and the trend towards a more decentralised state. Many referendums resulted in the cancellation of the project, or if it was not immediately cancelled, the prefectural or central government were often forced to postpone the project indefinitely and announce its cancellation many years later.

Not every referendum has had these effects. In Kobayashi, Miyazaki Prefecture, where citizens voted in 1997 against the construction of an industrial waste plant, the governor ignored the outcome. Construction started long before the referendum and the plant was ready for operation less than eight months after the referendum was held. With regard to referendums concerning US military bases (Okinawa Prefecture in 1996; Nago, Okinawa Prefecture in 1997; Iwakuni, Yamaguchi Prefecture in 2006) it must be noted that the central government did little to alleviate the burden to those areas. If national security or treaty obligations are in question, the effect of popular referendums in Japan is quite insignificant.

6. Conclusion

As outlined above, direct democracy appeared in Japan from the mid-1990s, though in an incomplete form. Up until now, referendums on a national level have all concerned the review of justices of the Supreme Court. Local popular votes, however, have covered diverse issues and are not uncommon. Since the mid-1990s, these referendums have become popular among local activists and the expansion of local self-government in recent years has offered new opportunities for citizens to shape their immediate environment. Though the barrier for recall is considerable, especially in large cities where signatures of one-third of the electorate are required, because campaigners have to work hard to collect signatures, voters' interest is high. Therefore, when held, the turnout in local referendums is high.

Recently however, voter interest in referendums has decreased. The 2013 referendum on the construction of a prefecture road in Tokyo had a turnout of only around 35%, clearly failing to reach the 50% quorum demanded by the mayor.

Table 1: Overview of direct democracy mechanisms in Japan

Instrument	Level	Legal basis	Number of votes
Mandatory constitutional referendum	National	Art. 96 JC	0
Mandatory legislative referendum for local entity acts	Local	Art. 95 JC	19 (see Annex 2)
Recall	Local	Art. 76-3, 80-3, 81-2 LAL	1,518 (see chapter 4.2)
Citizens' initiative to local parliament	Local	Art. 74 LAL	1,851 (see chapter 4.3.1)
Optional referendum	Local	Art. 74 LAL plus Local Referendum Ordinance	18 (see Annex 3)
Merger referendum	Local	Law Concerning Special Provisions for the Merger of Municipalities, Art. 4-14, 5-21 or Local Referendum Ordinance	445 (see chapter 4.4)

The citizens' initiated referendum as an instrument to decide on issues of public policy is still limited in Japan. In general, referendum results based on the local referendum ordinance are non-binding. Collecting the necessary number of signatures and securing a majority of the votes in a referendum do not guarantee a change in policy. The weakness of referendums as an instrument of policy-making is not only due to a lack of resources of activists, but also to the legal position of referendums in Japan. The LAL subordinates referendums to the system of representative democracy by declaring the results of a referendum to be generally non-binding. Today, local referendums play a consultative role for the government to see and experience the emotions of citizens on a certain issue. Though Japanese direct democracy has similarities to consultative referendums (Vogt 2001), the Japanese model is more complex. None of the previous popular votes were a pure survey. Even if prefectural and central governments are not required to comply with the outcome of a popular referendum, it still does send a strong signal. Considering the possibility of protests and outrage, local governments rarely choose to disregard a referendum outcome. Referendums in Japan can improve the responsibility of local authorities significantly.

Grassroots movements have supported popular referendums at the local level, appealed for a rethinking of centralised government and stopped some unnecessary public works and infrastructure projects in local communities by local and central governments. This links to the distinct Japanese political system and culture, in particular pork barrel politics. However, the direct democratic participation forms in Japan are still, compared to other countries, weak and uninfluential. This may be due to three reasons: a lack of resources, the weak legal position and the centralised nature of the Japanese state (Vogt 2001). A first step in popular referendums playing a more substantial role was the enactment of permanent referendum

ordinances (*jōsetsu-gata jūmin tōhyō jōrei*) in certain municipalities. A next bigger step would be a legally binding referendum. Nevertheless, to Takeda (1993), such a mechanism would be unconstitutional. Takeda states that with the institutionalisation of local referendums, a fundamental reform of the relationship between central and local government should run alongside. A local referendum process preserving the interests of local residents and safeguarding the will of the local community would definitely need more decentralisation at the administrative level, in particular the delegation of decision-making authority to local governments.

In view of citizens' referendums in recent years, the abundance of Japanese literature opens the floor for further studies on direct political participation in Japan. Furthermore, the development of national referendums (National Referendum Law for the Change of the Constitution) and the divide between government and citizens is to be observed with interest.

Bibliography

- Altman, David, *Direct Democracy Worldwide*. Cambridge University Press, Cambridge, 2011.
- Council of Local Authorities for International Relations (CLAIR), *Local Government in Japan 2012*, Tokyo, 2013. (http://www.clair.or.jp/j/forum/pub/pdf/jichi12_en.pdf)
- Degenhard, Christoph, *Staatsrecht I. Staatszielbestimmungen, Staatsorgane, Staatsfunktionen*, C.F. Müller Juristischer Verlag, Heidelberg, 1994.
- Hasegawa, Koichi, "Collaborative Environmentalism in Japan", in: Vinken, Henk; Nishimura, Yuko; Withe, Bruce L.J.; Deguchi, Masayuki (Eds.) *Civic Engagement in Contemporary Japan: Established and Emerging Repertoires*, New York: Springer, 2010, pp. 85-100.
- Hayashi, Yasuyoshi, "Japan: A New Public in the Making", *Global Citizens in Charge. How Modern Direct Democracy Can Make Our Representative Democracies Truly Representative*, Korea Democracy Foundation, Seoul, 2009, pp. 185-194.
- Hook, Glenn D. and McCormack, Gavan, *Japan's Contested Constitution: Documents and Analysis*, Routledge, London, 2001.
- Hwang, Jau-Hwang, "Nice Ideas, Difficult Realities. Examples of Recent Direct Democracy in Asia", Kaufmann, Bruno (Ed.) *Global Citizens in Charge. How Modern Direct Democracy Can Make Our Representative Democracies Truly Representative*, Korea Democracy Foundation, Seoul, 2009, pp. 55-89.
- Igarashi, Akio, "Japan; Against the Pressed National Policy: The Rebellions by General People", Hwang, Jau-Yuan (Ed.) *Direct Democracy in Asia: A Reference Guide to the Legislation and Practice*, Taiwan Foundation for Democracy Publication, Taipei, 2005.
- Imai, Hajime, "Yoshinogawa jūmin tōhyō. 50% no hādorū wa dō koeta ka", *Sekai*, No. 672, Iwanami Shoten, Tokyo, March, 2000, pp. 45-50.
- Imai, Hajime, "Jūmin Tōhyō de Chiiki wa Dō Kawattaka?" (How did Popular Referendums Transform the Communities?). *Chihobunken*, 23, Gyōsei, Tokyo, 2001, pp. 38-42.
- Inoguchi, Takashi, *Nihon seiji no tokui to fuhen* (Universality and Peculiarity of the Japanese Politics), NTT Shuppan, Tokyo, 2003.
- Jichi Rippō Kenkyūkai, *Shiminrippō Soran: Chokusetsu Seikyū Hen* (Direct Legislation Overview: Direct Demands), Kōjinsha, Tokyo, 2003.
- Kaneko, Masashi, *Shin Chiho Jichi Ho* (New Local Autonomy Law), Iwanami Shoten, Tokyo, 1999.
- Klein, Axel, "Das politische System Japans", *Japan Archiv*, Vol. 7, Bier, Bonn 2006.

- Kobayashi, Kimio, "Chihojichi tokubetsuho no seitei tetsuduki ni tsuite" (The Legislature Process of the Special Law Applicable only to One Specific Local Public Entity), *Reference*, Tokyo, October 2009.
- Krauss, Ellis, *Broadcasting politics in Japan: NHK and television news*, Cornell University Press, London, 2000.
- Kuriki, Hisao, "Die gegenwärtige Debatte um das Problem der Verfassungsänderung in Japan", *Referate des 13. Deutschsprachigen Japanologentages*, Vol. 8, No. 2, EB Verlag, Berlin, 2009, pp. 197-216.
- Kuroda, Yasumasa, *The core of Japanese democracy*, Palgrave Macmillan, New York, 2005.
- Meyer, Harald, "Die Taisho Demokratie. Begriffsgeschichtliche Studien zur Demokratierezeption in Japan von 1900 bis 1920", *Welten Ostasiens*, Vol. 4, Peter Lang, Bern, 2005.
- Meyer, Harald, "Pioneer of 'Taishō democracy': Abe Isoo's social democratic idealism and Japanese concepts of democracy from 1900 to 1920", *Japanstudien, Jahrbuch des Deutschen Instituts für Japanstudien*, Vol. 14, Iudicum, München, 2002, pp. 313-330.
- Nakanishi, Hiroyuki, *Shichoson gappei - machi no shorai wa jumin ga kimeru*, (The incorporation of large cities, small towns and villages - the future of cities is determined by the citizens), Jichitai Kenkyūsha, Tokyo, 1998.
- Neumann, Stefanie, "Politische Partizipation in Japan. Ein Beitrag zur politischen Kulturforschung", *Politische Aspekte Japans*, Vol. 1, Nordstedt: Books on Demand, Bonn, 2002.
- Numata, Chieko, "Checking the Center: Popular Referendums in Japan", *Social Science Japan Journal*, Vol. 9, No 1, Oxford University Press, 2006, pp. 19-31.
- Okamoto, Mitsuhiro, "Direct Democracy in Japan. Parliamentary Systems and Referendums in Local Government", Klöti, Ulrich and Yorimoto, Katsumi (eds.), *Institutional Change and Public Policy in Japan and Switzerland*, IPZ Institut für Politikwissenschaft, Zürich, 1999, pp. 97-108.
- Okamoto, Mitsuhiro, "Die Rezeption der Schweizer Politik in Japan", [trans. by: Müller Simone], *Asiatische Studien*, Vol. 58, No. 2, Peter Lang, Bern, 2004, pp. 343-364.
- Okamoto, Mitsuhiro, "Nigen-Daihyosei ni okeru Seijiteki-ishikette e no Jumin-Sanka", in: Yorimoto, Kohara (Ed.) *Atarahii-Kokyo to Jichi no genba*, Commons, Tokyo, 2011.
- Okamoto, Mitsuhiro, "Jichitai no Seisaku-Katei ni okeru Jumitohyo" (Local Referendum in the Policy Making Process), in: Board of Audit of Japan (Ed.) *Government Auditing Review (Kaikai kensa kenkyu)*, no 45, 2012, pp. 115-128.
- Serdült, Uwe and Welp, Yanina, "Direct Democracy Upside Down", *Taiwan Journal of Democracy*, 8 (1), pp. 69-92.

Takao, Yasuo, *Reinventing Japan, From Merchant Nation to Civic Nation*, Palgrave Macmillan, Basingstoke, 2007.

Takeda, Shin'ichiro, "Jumintohyo wo meguro Hoteki Mondai", (Legal Problems of the Local Referendum), *Horitsu no Hiroba*, Vol. 46, Gyosei, Tokyo, 1993, pp. 25-34.

Takeda, Shin'ichiro, "Josetsu-gata Jumintohyo Jorei no mondaiten", (Problems of Permanent Ordinances), *Chiho Jichi Shokuin Kenshu* (Local Government Officials' Training) No. 36, Komuin Shokuin Kenshu Kyokai, Tokyo, 2003, pp. 38-41.

Takehana, Mitsunori, "Seisaku refarendamugatai Jumintohyosei no mondaiten", (A Study of the inhabitant's vote on the matter of policy of the local selfgoverning body in Japan), *Hogaku ronshu* (The Law Review of Komazawa University), Vol. 56, Tokyo, December 1997, pp. 1-27.

Tsubogo, Minoru, "Wählerinitiative in Japan - Die zweite Dezentralisierungsform und die Entwicklung der Seikatsusha-Netzwerke als Lokalpartei", Foljanty-Jost, Gesine (Hrsg.), *Kommunalreform in Deutschland und Japan. Ökonomisierung und Demokratisierung in vergleichender Perspektive*, VS Verlag für Sozialwissenschaften, Wiesbaden, 2009, pp. 169-188.

Vogt, Gabriele, "Alle Macht dem Volk? Das direktdemokratische Instrument als Chance für das politische System Japans", *Japanstudien*, Vol. 13, Iudicium, München, 2001, pp. 319-342.

Watson, Andrew, "Popular Involvement in Criminal Justice: Should the Jury Return to Japan? - And the question of mixed courts", in: Marutschke, Hans-Peter (Hrsg.), *Laienrichter in Japan, Deutschland und Europa, Japanisch-Deutsches Symposium, Doshisha University - Law School*, Kyoto, 15. Mai 2005, Berliner Wissenschafts-Verlag BWV, Berlin, 2006, 101ff.

Yokomichi, Kiyotaka, "The Development of Municipal Mergers in Japan", *COSLOG Up-to-date Documents on Local Autonomy in Japan*, No.1, Council of Local Authorities for International Relations (CLAIR), Institute for Comparative Studies in Local Governance (COSLOG), National Graduate Institute for Policy Studies (GRIPS), Tokyo, 2007.
(<http://www3.grips.ac.jp/~coslog/en/pdf/2007/Uptodate1eng.pdf>)

Yorimoto, Katsumi, "Perspectives on Intergovernmental Relations in Japan: The Problem of Solid Waste Management", *Globalization and Decentralization. Institutional Contexts, Policy Issues, and Intergovernmental Relations in Japan and the United States*, Georgetown University Press, Washington D.C., 1994, pp. 247-258.

Annex 1: Municipalities with a permanent referendum ordinance

Municipality	Prefecture	Parliament	Entry into force
Takahama-shi	Aichi	24-Jun-02	1-Sep-02
Fujimi-shi	Saitama	19-Dec-02	20-Dec-02
Kamisato-machi	Saitama	20-Jan-03	1-Apr-03
Hiroshima-shi	Hiroshima	19-Mar-03	1-Sep-03
Misato-machi	Saitama	25-Mar-03	1-Apr-03
Kiryu-shi	Gunma	20-Jun-03	1-Jul-03
Hodatsu-shimizu-machi	Ishikawa	25-Sep-03	1-Jan-04
Otake-shi	Hiroshima	22-Dec-03	1-Jun-04
Abiko-shi	Chiba	17-Mar-04	1-Apr-04
Sakado-shi	Saitama	22-Mar-04	1-Apr-04
Minamiizu-cho	Shizuoka	21-Sep-04	21-Sep-04
Hatoyama-machi	Saitama	16-Dec-04	17-Dec-04*
Mashike-cho	Hokkaido	21-Dec-04	22-Dec-04
Kishiwada-shi	Osaka	22-Jun-05	1-Aug-05
Nabari-shi	Mie	20-Dec-05	1-Jan-06
Zushi-shi	Kanagawa	1-Mar-06	1-Apr-06
Yamato-shi	Kanagawa	24-Mar-06	1-Oct-06
Sanyo-onoda-shi	Yamaguchi	27-Mar-06	1-Jul-06
Houfu-shi	Yamaguchi	5-Oct-06	1-Dec-06
Engaru-cho	Hokkaido	7-Mar-07	1-Apr-07
Engaru-cho	Hokkaido	12-Mar-07	1-Apr-07
Isshiki-machi	Aichi	13-Mar-07	1-Jul-07
Isshiki-cho	Aichi	16-Mar-07	1-Jul-07
Oumihachiman-shi	Shiga	22-Mar-07	30-Mar-08
Ohmihachiman-shi	Shiga	30-Mar-07	30-Mar-07
Usuki-shi	Oita	22-Jun-07	1-Apr-08
Usuki-shi	Oita	22-Jun-07	1-Apr-08
Toyo-cho	Kochi	26-Jun-07	26-Jun-07
Wajima-shi	Ishikawa	14-Dec-07	1-Apr-08
Wajima-shi	Ishikawa	14-Dec-07	1-Apr-08
Wakkanai-shi	Hokkaido	1-Mar-08	1-Apr-08
Wakkanai-shi	Hokkaido	21-Mar-08	1-Apr-08
Hokuei-cho	Tottori	21-Mar-08	1-Oct-08
Hokuei-cho	Tottori	25-Mar-08	1-Oct-08
Toyonaka-shi	Osaka	1-Apr-08	26-Mar-09
Miyako-shi	Iwate	13-Jun-08	1-Jul-08

Municipality	Prefecture	Parliament	Entry into force
Kawasaki-shi	Kanagawa	19-Jun-08	1-Apr-09
Ashibetsu-shi	Hokkaido	20-Jun-08	1-Oct-08
Ashibetsu-shi	Hokkaido	20-Jun-08	1-Oct-08
Kawasaki-shi	Kanagawa	24-Jun-08	1-Apr-09
Miyako-shi	Iwate	27-Jun-08	1-Jul-08
Kitahiroshima-shi	Hokkaido	26-Feb-09	1-Jun-09
Shikokuchuo-shi	Ehime	25-Mar-09	1-Jul-09
Shikoku-chuo-shi	Ehime	26-Mar-09	1-Jul-09
Joetsu-shi	Niigata	27-Mar-09	1-Oct-09
Joetsu-shi	Niigata	27-Mar-09	1-Oct-09
Kiso-machi	Nagano	31-Mar-09	1-Apr-09
Oushu-shi	Iwate	8-Sep-09	1-Oct-09
Oushu-shi	Iwate	14-Sep-09	1-Oct-09
Tajimi-shi	Gifu	14-Dec-09	1-Apr-10
Yasu-shi	Shiga	22-Dec-09	Not yet
Tajimi-shi	Gifu	25-Dec-09	1-Apr-10
Takizawa-mura	Iwate	19-Mar-10	1-Oct-10
Hakui-shi	Ishikawa	19-Mar-10	1-Oct-10
Kama-shi	Fukuoka	21-Dec-10	10-Dec
Komoro-shi	Nagano	21-Dec-10	10-Dec

* revised 15-Dec-06

** excluding

Source: Okamoto (2012: 120).

Annex 2: The 19 votes according to the Local Autonomy Special Law

Municipality	Name of Law	Parliament	Vote	Turnout %	YES %	Entry into force
Hiroshima-shi	Hiroshima Peace Memorial City Construction Act	1949.05.11	1949.07.07	65.0	91.9	1949.08.06
Nagasaki-shi	Nagasaki International Cultural City Construction Act	1949.05.11	1949.07.07	73.5	98.6	1949.08.09
Beppu-shi	Act on Construction of Beppu as City of International Tourism and Hot Springs Culture	1950.04.07	1950.06.15	79.8	74.9	1950.07.18
Atami-shi	Act on Construction of Atami as City of International Tourism and Hot Springs Culture	1950.05.01	1950.06.28	60.4	82.8	1950.08.01
Ito-shi	Act on Construction of Ito as City of International Tourism and Hot Springs Culture	1950.05.01	1950.06.15	55.0	64.1	1950.07.25
Tokyo-to	Capital Construction Act	1950.04.22	1950.06.04	55.1	60.3	1950.06.28
Yokosuka-shi	Act on Reconstruction of Cities that Formerly Served as Naval Ports	1950.04.11	1950.06.04	69.1	90.9	1950.06.28
Sasebo-shi	Act on Reconstruction of Cities that Formerly Served as Naval Ports	1950.04.11	1950.06.04	89.0	97.3	1950.06.28
Kure-shi	Act on Reconstruction of Cities that Formerly Served as Naval Ports	1950.04.11	1950.06.04	82.2	95.8	1950.06.28
Maizuru-shi	Act on Reconstruction of Cities that Formerly Served as Naval Ports	1950.40.11	1950.06.04	75.4	84.6	1950.06.28
Kyoto-shi	Act on Construction of Kyoto as City of International Culture and Tourism	1950.07.28	1950.09.20	31.5	69.4	1950.10.22
Nara-shi	Act on Construction of Nara as City of International Culture and Tourism	1950.07.28	1950.09.20	73.5	74.1	1950.10.21
Yokohama-shi	Act on Construction of Yokohama as International Port City	1950.07.30	1950.09.20	39.5	89.8	1950.10.21
Kobe-shi	Act on Construction of Kobe as International Port City	1950.07.30	1950.09.20	43.3	84.4	1950.10.21
Matsue-shi	Act on Construction of Matsue as City of International Culture and Tourism	1950.12.06	1951.02.10	73.3	75.9	1951.03.01
Ashiya-shi	Act on Construction of Ashiya as City of International Culture with Good Residential Environment	1950.12.06	1951.02.11	56.3	77.7	1951.03.03
Matsuyama-shi	Act on Construction of Matsuyama as City of International Tourism and Hot Springs Culture	1950.12.06	1951.02.11	56.5	83.5	1951.04.01
Karuizawa-machi	Act on Construction of Karuizawa as Town of International Goodwill, Culture and Tourism	1951.05.29	1951.07.18	81.2	92.6	1951.08.15
Ito-shi	Act on Partial Amendment of the Act on Construction of Ito as City of International Tourism and Hot Springs Culture	1952.06.20	1952.08.20	67.4	98.0	1952.09.22

Source: Kobayashi (2010: 78)

Annex 3: 19 local referendums (1996-2010), excluding merger referendums

Date	Issue	Prefecture	Municipality	Initiator	Turnout	Yes %
4-Aug-96	Nuclear Power Plant	Niigata	Maki-machi	MPs	88.20%	39%
8-Sep-96	Reduction of US Navy base	Okinawa	-	Citizens	59.50%	89%
22-Jun-97	Industrial waste dumping ground	Gifu	Mitake-cho	Citizens	87.50%	19%
16-Nov-97	Industrial waste dumping ground	Miyazaki	Kobayashi-shi	Citizens	75.90%	40%
21-Dec-97	US Navy heliport	Okinawa	Nago-shi	Citizens	82.50%	45%
8-Feb-98	Industrial waste dumping ground	Okayama	Yoshinaga-cho	Citizens	91.70%	2%
14-Jun-98	Industrial waste dumping ground	Miyagi	Shiroishi-shi	Mayor	71.00%	4%
30-Aug-98	Industrial waste dumping ground	Chiba	Unakami-machi	Mayor	87.30%	2%
4-Jul-99	Quarry (expansion or new construction)	Nagasaki	Konagai-cho	Mayor	67.80%	55%
23-Jan-00	Dam construction	Tokushima	Tokushima-shi	MPs	55.00%	8%
27-May-01	Nuclear Power Plant	Niigata	Kariwa-mura	Citizens	88.10%	43%
18-Nov-01	Nuclear Power Plant	Mie	Miyama-cho	Mayor	88.60%	32%
26-Oct-03	Industrial waste dumping ground	Kochi	Hidaka-mura	Citizens	79.80%	60%
23-Oct-05	City developing plan	Chiba	Sodegaura-shi	Citizens	58.00%	64%
12-Mar-06	US base	Yamaguchi	Iwakuni-shi	Mayor	58.70%	11%
9-Dec-07	Construction of citizen's centre	Chiba	Yotsukaido-shi	Citizens	47.60%	24%
27-Apr-08	Plan of stock farm	Okinawa	Izena-son	Mayor	71.40%	50%
14-Nov-10	Construction of cultural centre	Nagano	Saku-shi	Mayor	54.90%	29%

Source: Okamoto (2011: 310-311).